

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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	:	
UNITED STATES OF AMERICA	:	
	:	ORDER OF FORFEITURE /
- v. -	:	<u>MONEY JUDGMENT</u>
	:	
ALEX MELENDEZ,	:	S4 20 Cr. 301 (PKC)
	:	
Defendant.	:	
	:	
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WHEREAS, on or about July 27, 2021, ALEX MELENDEZ (the “Defendant”), and another, was charged in an information, S4 20 Cr 301 670 (PKC) (the “Information”) with conspiracy to distribute narcotics, in violation of Title 21, United States Code, Section 846 (Count One) and possessing a firearm after having been convicted of a felony, in violation of Title 18, United States Code, Sections 922(g)(1) and 2 (Count Two);

WHEREAS, the Information included a forfeiture allegation as to Count One of the Information, seeking forfeiture to the United States, pursuant to Title 21, United States Code, Section 853, of any and all property constituting, or derived from, any proceeds obtained, directly or indirectly, as a result of the offense charged in Count One of the Information, and any and all property used, or intended to be used, in any manner or part to commit, or to facilitate the commission of the offense charged in Count One of the Information, including but not limited to a sum of money in United States currency, representing the amount of proceeds traceable to the commission of the offense charged in Count One of the Information;

WHEREAS, on or about July 27, 2021 the Defendant pled guilty to Count One of the Information, pursuant to a plea agreement with the Government, wherein the Defendant admitted the forfeiture allegation with respect to Count One of the Information and agreed to forfeit to the United States, pursuant to Title 21, United States Code, Section 853, a sum of money in

United States currency, representing any and all property constituting, or derived from, any proceeds the Defendant obtained, directly or indirectly, as a result of the offense charged in Count One of the Information, and any and all property used, or intended to be used in any manner or part to commit, and to facilitate the commission of the offense charged in Count One of the Information;

WHEREAS, the Government asserts that \$33,000.00 in United States currency represents property constituting, or derived from proceeds obtained directly or indirectly as a result of the commission of the offense charged in the Information;

WHEREAS, the Government seeks a money judgment in the amount of \$33,000.00 in United States currency pursuant to Title 21, United States Code, Section 853, representing proceeds traceable to the offense charged in the Information that the Defendant personally obtained; and

WHEREAS, the Court finds that, as a result of acts and/or omissions of the Defendant, the proceeds traceable to the offense charged in the Information that the Defendant personally obtained cannot be located upon the exercise of due diligence.

NOW, THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED THAT:

1. As a result of the offense charged in the Information, to which the Defendant pled guilty, a money judgment in the amount of \$33,000.00 in United States currency (the "Money Judgment"), representing the amount of proceeds traceable to the offense charged in the Information that the Defendant personally obtained, shall be entered against the Defendant.

2. Pursuant to Rule 32.2(b)(4) of the Federal Rules of Criminal Procedure, this Order of Forfeiture/Money Judgment is final as to the Defendant, ALEX MELENDEZ, and shall

be deemed part of the sentence of the Defendant, and shall be included in the judgment of conviction therewith.

3. All payments on the outstanding Money Judgment shall be made by postal money order, bank or certified check, made payable to the “United States Marshals Service” and delivered by mail to the United States Attorney’s Office, Southern District of New York, Attn: Money Laundering and Transnational Criminal Enterprises Unit, One St. Andrew’s Plaza, New York, New York 10007 and shall indicate the Defendant’s name and case number.

4. The United States Marshals Service or its designee is authorized to deposit the payments on the Money Judgment in the Asset Forfeiture Fund, and the United States shall have clear title to such forfeited property.

5. Pursuant to Title 21, United States Code, Section 853(p), the United States is authorized to seek forfeiture of substitute assets of the Defendant up to the uncollected amount of the Money Judgment.

6. Pursuant to Rule 32.2(b)(3) of the Federal Rules of Criminal Procedure, upon entry of this Order of Forfeiture/Money Judgment, the United States Attorney’s Office is authorized to conduct any discovery needed to identify, locate or dispose of forfeitable property, including depositions, interrogatories, requests for production of documents and the issuance of subpoenas.

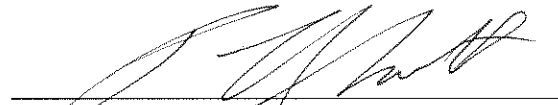
7. This Court shall retain jurisdiction to enforce this Order of Forfeiture/Money Judgment, and to amend it as necessary, pursuant to Rule 32.2(e) of the Federal Rules of Criminal Procedure.

8. The Clerk of the Court shall forward three certified copies of this Order of Forfeiture/Money Judgment to Assistant United States Attorney Alexander J. Wilson, Co-Chief, Money Laundering and Transnational Criminal Enterprises Unit, United States Attorney's Office, One Saint Andrews Plaza, New York, New York 10007.

Dated: New York, New York

February 15, 2022

SO ORDERED:


HONORABLE P. KEVIN CASTEL
UNITED STATES DISTRICT JUDGE